

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has not amended any claims. Accordingly, claims 1-20 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections – Specification

The Examiner objected to the specification because of informalities in the specification. The Applicant thanks the Examiner for his careful review of the specification. In response, the Applicant has modified the specification as suggested by the Examiner. The Examiner's consideration of the amendments to the specification is respectfully requested.

3.) Claim Rejections – 35 U.S.C. §102(e)

The Examiner rejected claims 1-20 stand as being anticipated by Magnusson (US 2003/0099282 A1). The Applicant traverses the rejections.

The Applicant's invention is directed to the efficient allocation of channel resources in a radio communication and is characterized by allocating specific channel resources based on an estimate of when a specific channel resource will be released as well as estimates of when other previously allocated channel resources will be released. This aspect of the invention is not taught by Magnusson.

The Examiner stated that Magnusson discloses allocating a specific channel resource according to a predetermined rule which includes considering an estimate of when the specific channel resource will be released and estimates of when other previous allocated channel resources will be released. The Applicant respectfully disagrees with this characterization. The Examiner equates "a duration of allocation" with an "estimate of release." The Applicant respectfully submits that this is an incorrect characterization. Magnusson discloses a code allocation unit that selects one or more codes which have a largest combined weight. The combined weight is a sum of weights

for all codes that are allocated in the subtree. The weights may be related to duration of allocation. The duration may be derived based on service type or individual user behavior (see paragraphs 57 and 58 of Magnusson). This combined weight is derived from a duration of the allocation. This is different than an estimate of a release of a resource as a "duration of allocation" is related to a length of time the allocation lasts while an estimate of release is a time in the future when the resource is estimated to be released. Furthermore, Magnusson discloses using the combined weight of a plurality of codes allocated to a subtree. In contrast, the Applicant's invention recites allocating a specific channel resource based on estimates when the specific channel resource will be released and estimates of when other previously allocated channel resources will be released. Magnusson utilizes a combined weight and does not base the allocation on when a specific channel resource or other previous allocated channel resources will be released.

Thus, Magnusson differs from the Applicant's invention by utilizing a combined weight based on a duration of the allocation. The combined weight does not consider a specific channel resource and when it is released but rather, on a measurement of the length of time the duration of the allocation. Therefore, Magnusson does not anticipate the Applicant's invention as recited in claim 1. Claim 11 recites limitations analogous to those of claim 1 and also is not anticipated by Magnusson. Furthermore, whereas 2-10 and 12-20 are dependent from claims 1 and 11, respectively, and include the limitations thereof, they are also not anticipated by Magnusson. Therefore, the allowance of claims 1-20 is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-20.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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